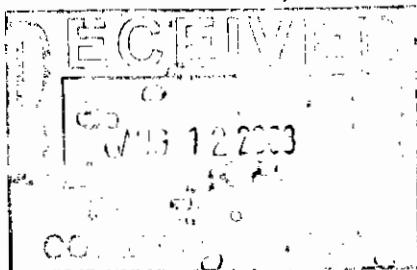


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11 August 2008

VIA FACSIMILE 212-805-6326

The Honorable Colleen McMahon
US Courthouse
500 Pearl St., Room 640
New York, NY 10007

Re: Nichols v. Mahoney
Docket #08-cv-03306

Dear Judge McMahon:

As per my conversation this afternoon with your clerk, the Plaintiff has answered Defendant's Motion to Dismiss the Complaint and submitted a Cross Motion to amend the Complaint in the event the Court grants the motion to dismiss.

Please allow the Defendant to reply to Plaintiff's answer and submit opposition to the Cross Motion on or before September 9th.

Mr. Santangelo and Mr. Culp, who are responsible for this case, will not be back from vacation before September 2nd.

Respectfully submitted,

Karen Francis

George L. Santangelo, Esq.
Attorney for Defendant
By: Karen Francis, Assistant

cc: Gary Silverman, Esq.
Joy Kim Mele, Esq.
O'Dwyer and Bernstein, LLP
52 Duane Street
New York, NY 10007

Extension granted
After 2nd week